

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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EDWARD CARTER, FRANK FIORILLO, KEVIN :  
LAMM, JOSEPH NOFI, and THOMAS SNYDER, :  
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 :  
Plaintiffs, :  
 :  
 :  
v. : Case No. 07 CV 1215 (SJF)(ETB)  
 :  
INCORPORATED VILLAGE OF OCEAN BEACH; :  
MAYOR JOSEPH C. LOEFFLER, JR., individually :  
and in his official capacity; former mayor NATALIE K. :  
ROGERS, individually and in her official capacity; :  
OCEAN BEACH POLICE DEPARTMENT; ACTING :  
DEPUTY POLICE CHIEF GEORGE B. HESSE, :  
individually and in his official capacity; SUFFOLK :  
COUNTY; SUFFOLK COUNTY POLICE :  
DEPARTMENT; SUFFOLK COUNTY DEPARTMENT :  
OF CIVIL SERVICE; and ALISON SANCHEZ, :  
individually and in her official capacity, :  
 :  
Defendants. :  
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**AFFIDAVIT OF THOMAS SNYDER IN SUPPORT OF PLAINTIFFS'**  
**RULE 56.1 COUNTER-STATEMENTS OF MATERIAL FACTS IN DISPUTE**

STATE OF NEW YORK        )  
                                  )ss.:  
COUNTY OF SUFFOLK        )

I, Thomas Snyder, hereby declare and state:

1.       I am a Plaintiff in the above-captioned matter, and have brought this action against the Incorporated Village of Ocean Beach (“Ocean Beach”), certain of its officials (collectively, “Ocean Beach Defendants”), Suffolk County, Suffolk County Department of Civil Service and one of its officials (collectively, “County Defendants”) (all Defendants, collectively, “Defendants”), for the unlawful termination of my employment as an Ocean

Beach Police Officer on April 2, 2006, and for events related to my termination, including Defendants' defamation and retaliation against me.

2. In addition to the facts attested to in my deposition, the following is additional information concerning my employment with the Ocean Beach Defendants and termination from my position as Police Officer with the Ocean Beach Police Department ("OBPD").

3. During my employment with Ocean Beach, I expressed opposition to conduct of Ocean Beach employees and officials that I believed to be unlawful, corrupt, and/or improper, out of concern for the public and residents of Ocean Beach, as well as for myself and my fellow officers. In doing so, I acted as a concerned private citizen, knowing that it was not part of my duties as an Ocean Beach Police Officer to express opposition to such conduct.

4. I voiced my opposition to the employment of OBPD Officers who were not certified by Suffolk County Civil Service to work as Police Officers in Ocean Beach and did not know Ocean Beach and Suffolk County emergency police radio codes, which created a threat to public safety and to the safety of fellow OBPD Officers.

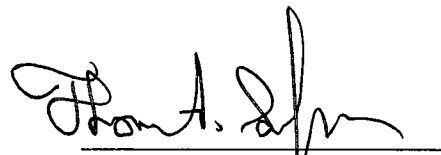
5. I voiced my opposition to OBPD Officers drinking on duty, including in local bars, in the OBPD station and in OBPD vehicles.

6. I voiced my opposition to being forced to leave Ocean Beach short-staffed when I was ordered to chauffeur intoxicated, uncertified OBPD Officers.

7. I voiced my opposition to Defendant Hesse's cover-up of an assault against a civilian by an uncertified OBPD Officer in an Ocean Beach bar on the night of Halloween 2004.

8. Throughout my employment as an OBPD Officer, I regularly discussed the opposition to unlawful conduct and threats to public safety that I voiced Ocean Beach officials with fellow OBPD Officers Joe Nofi, Kevin Lamm, Ed Carter and Frank Fiorillo, who are also Plaintiffs in this case. These Officers would, in turn, routinely inform me when they voiced similar opposition to Ocean Beach officials and authorities.

9. During my employment as an Ocean Beach Police Officer, I heard Defendant Hesse and other OBPD Officers refer to Defendant Loeffler as the "Ocean Beach Police Liaison" on numerous occasions.

  
THOMAS SNYDER

Sworn to before me this

29 day of ~~February~~ **APRIL**, 2009  
**Notary Public, State of New York**  
**No. 02GR6210696**  
**Qualified in New York County**  
**Commission Expires August 24, 2013**

Notary Public

